

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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|---------------------------|---|------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. CR07-074-JCC |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | SUMMARY REPORT OF U.S. |
| |) | MAGISTRATE JUDGE AS TO |
| DARIN DOUGLAS HUSE, |) | ALLEGED VIOLATIONS |
| |) | OF PROBATION |
| Defendant. |) | |
| _____ |) | |

An initial hearing on probation revocation in this case was scheduled before me on November 6, 2007. The United States was represented by AUSA Katheryn K. Frierson and the defendant by Jeffrey H. Smith. The proceedings were digitally recorded.

Defendant had been sentenced on or about by the Honorable John C. Coughenour on a charge of False Statement in an Application for a Passport, and sentenced to 2 years probation (Dkt. 42).

The conditions of probation included the standard conditions plus the requirements that defendant submit to one drug test within 15 days and at least two and no more than eight per month, submit to search, participate in a home confinement/electronic monitoring program,

01 provide his probation officer with access to financial information, allow inspection of personal
02 computer, notify probation officer of all software owned and purchased, consent to monitoring
03 of his computer, and not possess any identification documents in any but his true identity.

04 On August 15, 2007, the conditions of probation were modified to require participation
05 in substance abuse testing and treatment and abstention from the use of alcohol (Dkt. 44). In an
06 application dated October 18, 2007 (Dkt. 44), U.S. Probation Officer Joe G. Mendez alleged the
07 following violations of the conditions of probation:

08 1. Using morphine on or before September 17, 2007 in violation of standard condition
09 #7.

10 2. Using cocaine on or before October 15, 2007 in violation of standard condition #7.

11 Defendant was advised in full as to those charges and as to his constitutional rights.

12 Defendant admitted alleged violation #1 and waived any evidentiary hearing as to whether
13 it occurred. The government moved to dismiss alleged violation #2 (Dkt. 47).

14 I therefore recommend the Court find defendant violated his probation as alleged in
15 violation #1, and that the Court conduct a hearing limited to the issue of disposition. I
16 recommend that the Court dismiss alleged violation #2. The next hearing will be set before Judge
17 Coughenour.

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01 Pending a final determination by the Court, defendant has been released on the conditions
02 of probation.

03 DATED this 6th day of November, 2007.

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05 Mary Alice Theiler
06 United States Magistrate Judge

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08 cc: District Judge: Honorable John C. Coughenour
09 AUSA: Katheryn K. Frierson
10 Defendant's attorney: Jeffrey H. Smith
11 Probation officer: Joe G. Mendez
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